

## REMARKS

Claims 1-24 are all the claims pending in the application, claims 21-24 being added by the present amendment. Claims 1, 8, 14, 21, and 24 are the only independent claims. Newly submitted claims 21-24 are presented to claim disclosed embodiments more completely, and have not been submitted in response to any rejection or objection. No new matter has been added.

Two examiner interviews were conducted in the present application. Pursuant to M.P.E.P. § 713.04, Applicant provides the following remarks.

### **First Examiner Interview**

Applicant's representative, Jeffrey Lotspeich, discussed the present application with Examiner Helen Shibru in a telephonic interview conducted on September 19, 2006. The substance of the arguments related to the various points raised in the response filed July 19, 2006. In particular, it was noted that the cited Skelley reference (U.S. patent 6,795,638) recorded events in a database, and such events do not teach or suggest the claimed "recording the clipped segments as new programs" referred to in claim 1.

Examiner Shibru acknowledged this distinction, but indicated that she believed that Skelley does provide the requisite teaching. However, Examiner Shibru was unable to provide the specific location where such teaching could be found. Examiner Shibru further indicated that an RCE would be necessary in order for her to consider again the Skelley patent and to identify the location which provided the purported teachings.

## **Second Examiner Interview**

On October 3, 2006, the undersigned conducted a telephonic interview with Supervisory Patent Examiner (SPE) Thai Q. Tran. The Skelley reference was discussed with regard to claim 1. Examiner Tran recognized that claim 1 appeared to define over the cited Skelley reference. Examiner Tran stated that it would not be necessary for Applicant to submit an RCE in this case, and that either a Notice of Allowance or another Non-Final Office Action will be issued.

A follow up telephone call was placed to Examiner Tran on October 17, 2006, advising that no further communication has yet been received by the USPTO on this case, and that the October 20<sup>th</sup> six-month date for response is nearing. Examiner Tran stated that he would contact Examiner Shibru regarding this matter, and assured that a communication will issue before the stated six-month date. Applicant and the undersigned gratefully acknowledge the courtesies extended by Examiner Tran, and again thank him for his time and efforts on this matter.

## **Claim Amendment**

Applicant submits herewith several new claims. These new claims recite features which are similar to those in claim 1, and therefore these claims are also believed to be patentable over the cited references for reasons similar to those which have been made of record with regard to claim 1. Applicant recognizes the limitation for submitting new claims after a Final Office Action. However, entry of the claims is believed proper since it has been established that the finality of the last Office Action will be withdrawn.

**CONCLUSION**

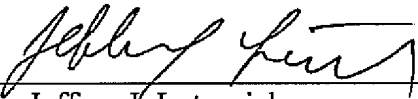
In light of the above remarks, Applicant submits that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

Lee, Hong, Degerman, Kang & Schmadeka

Date: October 17, 2006

By:  \_\_\_\_\_

Jeffrey J. Lotspeich  
Registration No. 45,737  
Attorney for Applicant

Customer No. 035884